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8 Seeking Appointment as Attorney for Defendant
9 MARCUS DICKERSON

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) No. Cr. F 97-5217 AWI
Plaintiff,)
v.) **REQUEST FOR APPOINTMENT OF
COUNSEL; ORDER**
MARCUS DICKERSON,)
Defendant.) **RETROACTIVE CRACK COCAINE
REDUCTION CASE**

) Date: May 19, 2008
)) Time: 9:00 a.m.
)) Judge: Hon. ANTHONY W. ISHII

Pursuant to 18 U.S.C. §§ 3006A(c) and 3852(c)(2), Defendant,
MARCUS DICKERSON, hereby requests the court appoint the Office of the
Federal Defender and Assistant Federal Defender David M. Porter as
counsel to represent him with respect to his motion to reduce sentence
pursuant to 18 U.S.C. § 3582(c)(2), filed April 10, 2008. Mr. Porter
is familiar with the case and is willing to accept the appointment.*

Appointment of counsel would serve the interests of justice in
this case because it might facilitate a negotiated disposition of the
motion and because the motion might raise novel legal issues
surrounding application of the United States Sentencing Commission's

* Mr. Dickerson has authorized the undersigned to file this application on his behalf.

1 recent retroactive reduction of sentences under the crack cocaine
2 guidelines. Because Mr. Dickerson's substantial rights may be affected
3 by these criminal proceedings, he is constitutionally entitled to
4 appointment of counsel. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967).

5 Accordingly, Mr. Dickerson requests the Court issue the order
6 lodged herewith.

7 Dated: April 10, 2008

8 Respectfully submitted,

9 DANIEL J. BRODERICK
Federal Defender
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11 /s/ David M. Porter
DAVID M. PORTER
12 Assistant Federal Defender

13 Seeking Appointment as Attorney for Movant
14 MARCUS DICKERSON

15 **O R D E R**

16 Pursuant to defendant's request, and good cause appearing
17 therefor, the Office of the Federal Defender and Assistant Federal
18 David M. Porter is hereby appointed to represent defendant with respect
19 to his motion to reduce sentence.
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21 IT IS SO ORDERED.
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Dated: April 11, 2008

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE
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